

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 22**

Introduced By: Wightman, 36;  
Read first time: January 4, 2007  
Committee: Revenue

A BILL

1       FOR AN ACT relating to revenue and taxation; to amend sections  
2               77-2004, 77-2005, and 77-2006, Reissue Revised Statutes of  
3               Nebraska; to change provisions relating to inheritance tax;  
4               to provide for applicability; and to repeal the original  
5               sections.  
6       Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 77-2004 Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           77-2004. In the case of a father, mother, grandfather,  
4 grandmother, brother, sister, son, daughter, child or children legally  
5 adopted as such in conformity with the laws of the state where  
6 adopted, any lineal descendant, any lineal descendant legally adopted  
7 as such in conformity with the laws of the state where adopted, any  
8 person to whom the deceased for not less than ten years prior to death  
9 stood in the acknowledged relation of a parent, or the spouse or  
10 surviving spouse of any such persons, the rate of tax shall be one  
11 percent of the clear market value of the property in excess of ~~ten~~  
12 fifty thousand dollars received by each person. Any interest in  
13 property, including any interest acquired in the manner set forth in  
14 section 77-2002, which may be valued at a sum less than ~~ten~~ fifty  
15 thousand dollars shall not be subject to tax. In addition the  
16 homestead allowance, exempt property, and family maintenance  
17 allowance shall not be subject to tax. Interests passing to the  
18 surviving spouse by will, in the manner set forth in section 77-2002,  
19 or in any other manner shall not be subject to tax.

20           Sec. 2. Section 77-2005 Reissue Revised Statutes of  
21 Nebraska, is amended to read:

22           77-2005. In the case of an uncle, aunt, niece, or nephew  
23 related to the deceased by blood or legal adoption, or other lineal  
24 descendant of the same, or the spouse or surviving spouse of any of  
25 such persons, the rate of tax shall be six percent of the clear market  
26 value of the property received by each person in excess of ~~two~~ five  
27 thousand dollars and not exceeding ~~sixty~~ one hundred thousand

1 dollars; and on all the excess over ~~sixty~~ one hundred thousand  
2 dollars, the rate of tax shall be nine percent.

3 Sec. 3. Section 77-2006 Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5 77-2006. In all other cases the rate of tax on the clear  
6 market value of the beneficial interests shall be as follows: (1) For  
7 any amount not exceeding five ten thousand dollars, six percent;  
8 (2) on all the excess of beneficial interests over five ten  
9 thousand dollars and not exceeding ~~ten~~ twenty thousand dollars,  
10 nine percent; (3) on all the excess of beneficial interests over ~~ten~~  
11 twenty thousand dollars and not exceeding ~~twenty~~ fifty thousand  
12 dollars, twelve percent; (4) on all the excess of beneficial  
13 interests over ~~twenty~~ fifty thousand dollars and not exceeding  
14 fifty one hundred thousand dollars, fifteen percent; and (5) on  
15 all the excess of beneficial interests over fifty one hundred  
16 thousand dollars, eighteen percent. Such rates of tax shall be  
17 applied to the clear market value of the beneficial interests in  
18 excess of five ~~hundred~~ thousand dollars received by each person.  
19 If the clear market value of the beneficial interest is five ~~hundred~~  
20 thousand dollars or less, it shall not be subject to any tax

21 Sec. 4. The changes made to sections 77-2004, 77-2005, and  
22 77-2006 by this legislative bill apply to decedents dying on or after  
23 January 1, 2007.

24 Sec. 5. Original sections 77-2004, 77-2005, and 77-2006,  
25 Reissue Revised Statutes of Nebraska, are repealed.